

## UNITED STATES PATENT AND TRADEMARK OFFICE

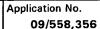


APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,356	04/26/2000	Stephen Dale Messer	1776-001B	9673
9629 75	9629 7590 11/24/2003		EXAMINER	
MORGAN LEWIS & BOCKIUS LLP			ELISCA, PIERRE E	
1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			ART UNIT	PAPER NUMBER
			3621	
		DATE MAILED: 11/24/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.



Notice of Abandonment



Applicant(s)

Stephen Dele Messer

Examiner

Pierre E. Elisca

Art Unit 3621



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --This application is abandoned in view of: 1. Applicant's failure to timely file a proper reply to the Office letter mailed on May 22, 2003. (with a Certificate of Mailing or Transmission dated (a) A reply was received on ), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on (b) A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114). (c) A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below). (d) No reply has been received. 2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85). (a) The issue fee and publication fee, if applicable, was received on \_ (with a Certificate of Mailing or Transmission dated ), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b) ☐ The submitted issue fee of \$ is insufficient. A balance of \$ is due. The issue fee required by 37 CFR 1.18 is \$ . The publication fee, if required by 37 CFR 1.18(d) is \$ (c) The issue fee and publication fee, if applicable, has not been received. 3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37). (a) Proposed new formal drawings were received on (with a Certificate of Mailing or Transmission dated \_\_\_\_\_\_\_), which is after the expiration of the period for reply. (b) \( \subseteq \) No corrected drawings have been received. 4.□ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application. The decision by the Board of Patent Appeals and Interferences rendered on period for seeking court review of the decision has expired and there are no allowed claims. MANY ATTEMPTS HAVE BEEN TO CONTACT APPHILANT'S REPRESENTATION MY PETER, P. . UN FOR TUNATE THE EXAMINER WAS UNABLE TO REACH HIM Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181,

should be promptly filed to minimize any negative effects on patent term.